THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.26650 of 2005

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Dated:14.12.2005

Between:

Smt. D. Dhanalakshmi, W/o. Dr. D.V. Narasimha Rao
R/o. Plot No. 22, H.No. 1-90/2/G/B, Arunodaya Colony, Madhapur,

Serilingampally Municipal Limited, Seri Lingampally Mandal, R.R.

District, Hyderabad.

..... PETITIONER

AND

The Commissioner, Serilingampally Municipality,
Serilingampally Mandal, R.R. District, Hyderabad.

.....RESPONDENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.26650 of 2005

ORDER:

The petitioner claims to be the owner and possessor of land in Plot No.22 admeasuring 400 square yards bearing premises No.1-90/2/G/B in Survey No.76 of Arunodaya Colony, Madhapur, Serilingampally Mandal, Ranga Reddy District. The petitioner claims to have acquired the property by reason of a gift/settlement deed dated 23.09.1995 executed by her brother. She also alleges that she obtained necessary permission and constructed the house consisting of ground and first floor. She alleges that on 07.12.2005, the subordinate officials of the respondent started taking measurements of the land and highhandedly broke down the gate and demolished the compound wall without disclosing any reason and without giving any notice. Therefore, she filed the present writ petition seeking, *inter alia,* a direction to the respondent to drop all further proceedings.

The learned Standing Counsel for Serilingampally Municipality, on instructions,

submits that the writ petition is filed on a mere apprehension and that the Municipality is not able to locate the petitioner's premises.

Be that as it is, if the petitioner's property is required for any public purpose, needless to say that the Municipality has to acquire the same in accordance with the provisions either under Section 172 or under Section 173 of the Andhra Pradesh Municipalities Act, 1965, or the Land Acquisition Act, 1894.

The Writ Petition, with the above observation, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

14.12.2005

Note: Issue C.C by tomorrow.

B/o.

vs